

FILED 21 AUG '23 14:55 USDC-ORE

8/21/23

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the
District of Oregon

Division

Case No.

~~2023 00184~~~~550 2021 00425X~~~~550 2022 00704X~~~~550 2023 0012~~
(to be filled in by the Clerk's Office)

6:23-CV-01215-MC

Jury Trial: (check one) ☒ Yes ☐ NoBarry Hasty

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

US Forest Service

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Barry Hasty
P.O. Box 2823
Winston - Douglas
Oregon, 97496
(541) 670-7342
hastybarry60@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name
 Job or Title *(if known)*
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address *(if known)*

Jeri COON
 Assistant Service Secretary
 2010 Opportunity Lane
 Glide
 OREGON, 97443
 (541) 530-6171

Defendant No. 2

Name
 Job or Title *(if known)*
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address *(if known)*

Connie Murray
 Residential Advisor
 2010 Opportunity Lane
 Glide (Douglas)
 OREGON 97443
 (541) 496-3900 (541) 643-3900

Defendant No. 3

Name
 Job or Title *(if known)*
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address *(if known)*

Jim Stanphill
 Residential Advisor
 2010 Opportunity Lane
 Glide (Douglas)
 OREGON 97443
 (541) 584-5017

Defendant No. 4

Name
 Job or Title *(if known)*
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address *(if known)*

Theresa AVERY
 2010 Opportunity Lane
 Glide, OREGON (Douglas)
 (541) 643-5827 (541) 672-5258

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐

Federal question

☒

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Barry Hasty, is a citizen of the State of (name) Oregon.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) US Forest Service, is a citizen of the State of (name) Oregon. Or is a citizen of (foreign nation) _____.

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b. If the defendant is a corporation

The defendant, (name) US Forest Service is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

For Losing my Supervisor position
 For False Claims by Plotting and Rail
 Road me out of employment, For Harassment
 Bullying, Retaliation, Hostile work environment. Also seeing several counselors
 CONCERN AGENCY wrong doing.
 2 million dollars

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Each Employer State want been submitted already. which could be re-submitted.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

All documents were submitted to court, I can re-submit. I asking for A Appeal to the Court for these above cases. I asking 2 million for about damage. Also for impacting family.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8/21/23

Signature of Plaintiff

Printed Name of Plaintiff

Benny Hasty

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address



August 4, 2023

**United States
Department of
Agriculture**

**Office of the
Assistant Secretary
for Civil Rights**

Center for Civil
Rights Enforcement

1400 Independence
Avenue SW

Washington, DC
20250

Mr. Barry Hasty
P.O. Box 2823
Winston, Oregon 97496
hastybarry60@gmail.com

Re: Complaint No.: FS-2023-00184
Complainant: Barry Hasty

Mr. Hasty:

This Notice is to inform you that the investigation of your mixed case complaint, FS-2023-00184, you filed on April 12, 2023, has not been completed within the 120-day time frame. Therefore, at this time, you have the right to file an appeal with the Merit Systems Protection Board (MSPB) at any time, as specified in 5 C.F.R. § 1201.154(a), or file a civil action in a United States District Court, as specified in 29 C.F.R. § 1614.310(g), but you may not file an appeal with both.

Should you elect to file an appeal with the MSPB, or file a civil action, you may have the opportunity to engage in discovery. Discovery is a pre-hearing and pre-trial device you can use to obtain facts and information from the agency. Tools of discovery include, but are not limited to, depositions, interrogatories, requests for production of documents, and requests for admissions.

If you elect to file an appeal with the MSPB, instructions for completing your appeal may be found by visiting the MSPB website at www.mspb.gov for further instructions on the initial appeal process.

If you choose to wait for the investigation to be completed, you need not take any action at this time. The estimated date of completion for the investigation is September 9, 2023. Within forty-five (45) days following completion of the investigation, the agency must issue a Final Agency Decision (FAD) without a hearing before an EEOC Administrative Judge. The issuance of this Notice does not operate to waive your right to seek sanctions against the Agency for failing to complete the investigation within the required regulatory time frame.

Barry Hasty, FS-2023-00184

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If you have any additional questions please contact Michele Hawkins, EEO Specialist at (202) 692-5343 or by e-mail at michele.hawkins@usda.gov.

Sincerely,

Kenneth J. Baisden, Sr.

Kenneth J. Baisden, Sr.
Director, Employment Investigation Division
Center for Civil Rights Enforcement
Office of the Assistant Secretary for Civil Rights

Enclosures

cc: USDA, Forest Service
 Office of Civil Rights
 Christopher Moore (Director)
 christopher.moore@usda.gov